

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

DELBERT M. GREENE,
Plaintiff,

v.

DWIGHT NEVEN, et al.,
Defendants.

3:07-cv-00474-LRH-VPC

ORDER

Before this Court is Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#69¹) entered on January 26, 2010, recommending granting Defendants' Motion to Dismiss (#45) filed on June 27, 2009. Plaintiff was granted a two-week extension of time to object to the Report and Recommendation (#71) but no objection was filed by either Plaintiff or Defendants, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#69) entered on January 26, 2010, should be adopted and accepted.

¹Refers to court's docket number.

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#69)
2 entered on January 26, 2010, is adopted and accepted, and

3 Defendants' Motion to Dismiss (#45) is granted with prejudice as to Plaintiff's Fourth
4 Amendment claim and all claims against Defendants in their official capacity for money damages; all
5 remaining claims are dismissed without prejudice with leave to amend.

6 IT IS SO ORDERED.

7 DATED this 30th day of March, 2010.



8
9
10 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE